

REMARKS

Claims 22-41 are pending. The new amendment format is used herein.

I. The drawing and specification objection based on claim 27 and "support portions".

The drawings stand objected to for not supporting claim 27 which claims "supporting portions." Claim 27 has been amended so that a drawing change and a specification change are not required as follows:

At page 3, lines 28-30 of the substitute specification states: "The diaphragm fixing portion serves to carry the diaphragm."

The present specification was translated from German and another translator translated the phrase as "The diaphragm portion serves to support the diaphragm." (See page 2 attached for reference purposes only).

Therefore, from the plain meaning of the English word "carry" which means "support" and also from the additional translation, it is respectfully asserted that claim 27 is clarified as amended below:

27. (Currently amended) The microphone as set forth in claim 26, wherein the sound inlet is interrupted only by a diaphragm fixing portion which serves to carry the diaphragm ~~by support portions~~.

Therefore, no drawing or specification correction is respectfully asserted to be required as diaphragm fixing portion 5 is already labeled in the drawings and described in the specification.

It is noted that claim 26 does not claim a "support portion" (see page 3 of the Office Action) so claim 27 is respectfully addressed above.

II. The Abstract

The Abstract has been amended for formatting reasons. No new matter is added.

III. The 112 rejections of claims 26 and 29 .

Claims 26 and 29 have been amended for clarity or antecedent basis. No new matter is added. Reconsideration of these claims is respectfully requested.

IV. The anticipation and obviousness rejection of independent claim 22 in view of Uzawa is respectfully traversed because Uzawa does not disclose or teach the structure for acoustic inductance as claimed. The obviousness rejection in view of Uzawa and Chang is also traversed as the references do not teach acoustic inductance as claimed.

As claimed in 22 and seen in Figures 1 and 2, the sound waves to be picked up by the microphone diaphragm 3 are passed through the slot-shaped sound inlet 25 forming an acoustic inductance so that the sound waves are delayed before they reach the second diaphragm surface. Accordingly, such an arrangement forms an LR circuit, since the sound waves at the sound inlet 19 firstly pass through the acoustic inductance L (the slot-shaped sound inlet 25) and are then directed into the volume underneath the diaphragm 3. Thereafter, the sound waves pass via an acoustic resistance into the volume underneath. This arrangement achieves the desired microphone with directional effect. See LR theory discussion attached for reference.

In contrast to the above, the teachings of Uzawa et al. as well as Chang are related to a microphone with directional effect based on an RC principle. Here, the acoustic resistance is arranged in front of the sound inlet. Therefore, the sound waves have to pass through the acoustic resistance before they directly pass into the volume underneath the diaphragm, which acts as an acoustic capacitance C.

"at least one, slot-shaped, sound inlet, through which sound waves can go to the second diaphragm surface and which forms substantially *an acoustic inductance* so that at least a part of the sound waves to be picked up is passed with a delay to the second diaphragm surface;" *emphasis added.*

Therefore, claim 22 is not anticipated or made obvious by Uzawa or Chang.

Additionally, the sound inlets according to the two references merely show holes instead

The arrangement of the sound waves passes through the inlet and forms an acoustic inductance as claimed.

of slot-shaped sound inlets (as claimed) being clearly defined by their height, length and width. For example, see present Figure 2 at Ref. Nums. 26 and 28. The term "slot-shaped sound inlet" is not mentioned, disclosed or suggested, in either of the cited references. Instead, the references only teach a sound-inlet being realized as a hole (see Column 1, lines 55 of Uzawa for example). Hence, it is respectfully asserted that it is not possible to read a slot-shaped sound inlet into the Figures of the above two references.

Accordingly, the subject matter of claim 22 is based on a completely different principal as compared to the teachings of the above documents.

Therefore, claim 22 is not taught or suggested by either reference, either alone or in combination.

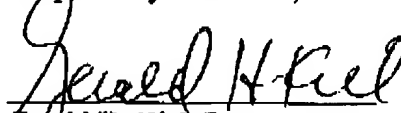
The remaining claims depend from claim 22 and are therefore also respectfully asserted to be allowable.

V. Conclusion.

In light of the *FESTO* case, no claim amendment or argument made herein was related to the statutory requirements of patentability unless expressly stated herein. No claim amendment or argument made was for the purpose of narrowing the scope of any claim unless Applicant has explicitly stated that the argument is "narrowing." Therefore, it is respectfully requested that all of the claims be reconsidered and allowed.

Please call the undersigned for any reason to expedite prosecution of this application.

Respectfully submitted,


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